

## MINUTES OF THE CITY COUNCIL

City of Austin, Texas

Regular Meeting

March 4, 1971

9:00 A.M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor LaRue presiding.

## Roll Call:

Present: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Absent: Councilman Atkison

The Invocation was delivered by REVEREND MERLE G. FRANKE, First English Lutheran Church.

## MAJOR GENERAL BLOOD INTRODUCED

Colonel Vance Murphy introduced Major General Gordon Blood, new to the Austin community, as Commander of the 12th Air Force at Bergstrom Air Force Base. Mayor LaRue extended a welcome to Major General and Mrs. Blood, who both expressed their pleasure in joining the Austin community.

## ITEM POSTPONED

Mayor LaRue announced that the Council would hold in abeyance the request of Mr. Phil Mockford for reconsideration of the right-of-way requirement in Wroe Owens and Grady Cates zoning - File No. C14-68-243, due to the absence of Mr. Mockford,

## STREET VENDING DISCUSSED

Mr. Wayne Leibowitz presented some proposals to make the street vending on Guadalupe workable. After discussions with several hundred people, he believed there were three major complaints: congestion, sanitary conditions, and drug traffic. He made the following proposals:

- Placing some bicycle racks on Guadalupe.
- Vendors setting up on just one part of the sidewalk in front of the Co-Op, such as a three-foot wide strip.
- Enforcing the leash laws to get rid of stray dogs running loose.
- Providing adequate trash receptacles.

- Providing a day-time foot patrol of uniformed police officers to curtail the drug problem, for which the cost would be negligible.
- Establishing some sort of vendor licensing or registration, for which a small fee might be levied to pay for the foot patrol.
- Organizing the street vendors to supervise the area and to carry on dialogue with the Council.

Mayor LaRue did not believe that anyone should be allowed to take over half a sidewalk or half a street. In response to Councilman Janes' question, Mr. Leibowitz stated that it would not be possible to use the YMCA lot as there would be construction on it by June 1. Councilman MacCorkle suggested the setting up of a "Farmers' Market." In response to Councilman Johnson's question concerning the possibility of using University facilities, Mr. Leibowitz stated that the Board of Regents was not open to any proposals of this sort. Councilman Johnson believed that the issue concerned vending all over the City and not just on Guadalupe. Councilman Price suggested a particular street for street vendors. Councilman Gage expressed the view that any ordinance passed should be uniform and equally applied to all sections of the City.

Councilman Janes suggested that the vendors establish some sort of communication with the Grand Jury Association. Mayor LaRue stated that the proposed Street Vending ordinance would be on the agenda for March 11.

#### HEARINGS RECESSED

At 9:30 A.M. Councilman Gage moved that the public hearings scheduled for that time be opened and recessed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

#### CITY AUDIT PROPOSAL

Mr. Ewell Tankersley, representing Peat, Marwick, Mitchell and Co., presented a proposal for performing City Audits. He discussed the procedures which had been followed for such audits of the City in the past.

Councilman Janes moved that the Council appoint the firm of Peat, Marwick, Mitchell & Co. to perform the audit for 1970-71. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

#### ITEM POSTPONED

The item of Nelson Puett requesting to appear before the Council was postponed at this time at the request of Mr. Puett.

## TRANSIT REPORT

The Council had before it for its consideration the City Manager's Transit Report. City Manager Andrews stated that the present City contract with Transportation Enterprises would expire on March 31, and a new contract with them would have to be rather extensive for them to amortize new investment. He stated that the proposal of the Illinois School Bus Company was not acceptable from the standpoint of the immediate situation as they had proposed only to go into operation next September, subject to their investigation. The proposal of American Transit would provide for the City determining the routes and schedules to be followed; the anticipated routes and schedules, excluding the school system, would cost about \$175,000. Sixty-three cents per mile would be guaranteed to the company which would try to maintain a minimum revenue of 51¢ for a 12¢ differential. He compared this to a 16.9¢ differential figure for the month of January, 1971. The Austin Transit contract also had a provision that operating ratio (cost divided by revenue) would not exceed 95%. Councilman Johnson discussed with City Manager Andrews and City Attorney Butler how this provision would work. Councilman Price questioned what sort of condition the buses would be in.

City Manager Andrews noted that after January 1, 1972, the contract would go to a 92% operating ratio. He discussed ways in which the City could then purchase buses with 50% Federal funding and lease them to the company. Councilman Johnson discussed the depreciation schedule to be used on the buses.

City Manager Andrews read a letter from Transportation Enterprises, Inc. outlining a proposed contract through November 30, 1972. The present School Bus and Charter Service would continue as it was through the 1970-1971 school year but not after that date. Cost as presently computed would continue, but salaries of non-union employees might be adjusted equal to changes in the Bureau of Labor Statistics cost of living index. A guarantee of \$2500 net per month above cost would be required as an efficiency incentive. Twenty-five air-conditioned buses would be purchased at \$25,000 each for a total of \$625,000. Delivery of these 25 buses could be made in 90 to 150 days. The cost per mile for this option would be 60¢ per mile, which could be adjusted on mutual agreement.

Mr. Conwell Smith, of Transportation Enterprises, explained that two proposals were being presented. If TEI bought the buses, 25 new air-conditioned ones were proposed for the major routes; if their contract was not renewed in November, 1972, the City would buy those buses at their book value. The other proposal was that if the City bought the new buses, TEI would lease or rent them with an operating figure of 55¢ per mile. The guarantee of \$2500 per month would apply to either proposal. The Company and the City would share half of the proceeds. City Manager Andrews discussed with Mr. Smith how this would work.

In response to Councilman MacCorkle's question, Mr. Smith stated that some subsidization was necessary, because as fares were increasing, ridership went down. He did not know if public transit would be cheaper than subsidizing private enterprise. Councilman MacCorkle expressed concern about using tax money to provide service not used by all Austin residents. Councilman Price strongly opposed a two-year contract, stating that a contract should run for at least five years.

Mayor LaRue announced that this item would be taken up again at 3:30 P.M.

## ANNEXATION HEARING

Mayor LaRue reopened the recessed annexation hearing from 9:30 A.M. No one appeared to participate in the hearing.

Councilman Price moved that the Council close the hearing and direct the administration to institute annexation proceedings to annex the following: (requested by owner's representative)

20.35 acres of land out of the Theodore Bissel League - proposed WHISPERING OAK II.

The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

## ZONING HEARINGS

Mayor LaRue announced that the Council would hear the zoning cases scheduled for Public Hearing at 9:30 A.M. Pursuant to published notice thereof, the following zoning applications were publicly heard:

EFFIE SMITH BENNETT by Robert C. Sneed C14-71-022	2005-2014 West Lake Drive (as amended)	From "A" Residence to "B" Residence RECOMMENDED by the Planning Commission on the portion east of West Lake Drive as amended
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Councilman Gage moved the Council grant the change from "A" Residence to "B" Residence on the portion east of West Lake Drive (as amended) as recommended by the Planning Commission. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change (as amended) had been granted as recommended by the Planning Commission and instructed the City Attorney to draw the necessary ordinance to cover.

J. C. MIDDLETON  
C14-71-001

1700 Manor Rd.

From "B" Residence to "C"  
Commercial  
RECOMMENDED by the Planning  
Commission subject to short  
form subdivision, joining  
this tract with the tract to  
the west

Councilman Gage moved the Council grant the change from "B" Residence to "C" Commercial as recommended by the Planning Commission subject to short form subdivision, joining this tract with the tract to the west. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission subject to the conditions and instructed the City Attorney to draw the necessary ordinance to cover.

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LOUIS A. JOSEPH by Richard Dorrell C14-71-004	9108-9120 North Interstate Highway 35	From "A" Residence to "C" Commercial RECOMMENDED by Planning Commission subject to 5' of right-of-way on Middle Lane
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Councilman Gage moved the Council grant the change from "A" Residence to "C" Commercial as recommended by the Planning Commission subject to 5 feet of right-of-way on Middle Lane. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission subject to the conditions and instructed the City Attorney to draw the necessary ordinance to cover.

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GARON BEVERLY by Robert D. Jones C14-71-009	944 East 51st St.	From "A" Residence to "GR" General Retail RECOMMENDED by the Planning Commission subject to 15 feet of right-of-way on East 51st Street
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Councilman Price moved the Council grant the change from "A" Residence to "GR" General Retail as recommended by the Planning Commission subject to 15 feet of right-of-way on East 51st Street. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission subject to the conditions and instructed the City Attorney to draw the necessary ordinance to cover.

L. G. ALEXANDER  
C14-71-011

1703-1803 Dalton  
Lane  
1706-1806 Old  
Lockhart Highway

From Interim "A" Residence  
1st Height and Area to "GR"  
General Retail 1st Height  
and Area

RECOMMENDED by the Planning  
Commission subject to 8' of  
right-of-way on Dalton Lane

Mr. Charles McCuller, adjoining property owner on Dalton Lane, opposed the change. He stated that this area had undergone zoning changes at least four times in a two-year period without his being notified. There was discussion as to the City's policy in notifying property owners of zoning changes. In response to his question concerning the use of this property for a wrecking and storage yard, Mr. Dick Lillie, Planning Director, stated that the zoning requested would not permit that. However, it would permit a garage or service station with all services performed indoors.

Mrs. Dora Moore expressed her opposition to a used car lot on this property.

Councilman Janes moved the Council grant the change from Interim "A" Residence 1st Height and Area to "GR" General Retail 1st Height and Area as recommended by the Planning Commission subject to 8 feet of right-of-way on Dalton Lane. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission subject to the conditions and instructed the City Attorney to draw the necessary ordinance to cover.

HENRY WETZEL, JR.  
by John B. Selman  
C14-71-013

1812-1814  
Waterston Ave.

From "A" Residence to "B"  
Residence  
RECOMMENDED by the Planning  
Commission subject to 10'  
right-of-way on Waterston  
Avenue

Councilman Price moved the Council grant the change from "A" Residence to "B" Residence as recommended by the Planning Commission subject to 10 feet of right-of-way on Waterston Avenue. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission subject to the conditions and instructed the City Attorney to draw the necessary ordinance to cover.

JANE R. LUND  
by Sheldon S. Smith  
C14-71-016

1705 Koenig Lane

From "A" Residence to "O"  
Office  
RECOMMENDED by the Planning  
Commission subject to 15'  
of right-of-way on Koenig  
Lane

Councilman Gage moved the Council grant the change from "A" Residence to "O" Office as recommended by the Planning Commission subject to 15 feet of right-of-way on Koenig Lane. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission subject to the conditions and instructed the City Attorney to draw the necessary ordinance to cover,

CORDELIA A. LENTHE  
by Steve Price  
C14-71-018

900 West 37th St.

From "A" Residence 1st  
Height and Area to "C"  
Commercial 5th Height and  
Area  
RECOMMENDED by the Planning  
Commission subject to a  
short form subdivision  
connecting this lot on the  
west and 5' of right-of-way  
on West 37th Street

Councilman Gage moved the Council grant the change from "A" Residence 1st Height and Area to "C" Commercial 5th Height and Area as recommended by the Planning Commission subject to a short form subdivision connecting this lot on the west and 5 feet of right-of-way on West 37th Street. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission subject to the conditions and instructed the City Attorney to draw the necessary ordinance to cover,

TAXICAB RATE ORDINANCE

Mayor LaRue brought up the following ordinance for its third reading:

AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE SCHEDULE OF RATES AND FARES WITHIN SECTION 42 OF CHAPTER 34 OF THE AUSTIN CITY CODE OF 1967,

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

VACATION OF RIGHTS-OF-WAY ORDINANCE POSTPONED

Mayor LaRue announced that the Council would postpone for one week, at the request of the City Manager, consideration of an ordinance vacating street and alley rights-of-way in accordance with the Urban Renewal Plan for the Brackenridge Area, Tex. A-11-1, as follows:

Neches Street - from East 10th Street to East 11th Street,  
Alley between East 10th Street and East 11th Street from  
Neches Street for approximately 104 feet east.

ANNEXATION ORDINANCE

Mayor LaRue brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 295 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE JAMES MITCHELL SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time, and Councilman Janes moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

## ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

NORTH 142 FEET OF ARKIE'S ADDITION, LOCALLY KNOWN AS 1601-1607 FORT VIEW ROAD, FROM "O" OFFICE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

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Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
 LOT 8, BLOCK 6, C. R. JOHNS SUBDIVISION, LOCALLY KNOWN AS 1701 EAST 18TH STREET; 1707-1711 LEONA STREET, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

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Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: THAT CERTAIN SUBDIVISION KNOWN AS WEST THIRTY-FOURTH STREET ADDITION, FROM "BB" RESIDENCE DISTRICT AND "O" OFFICE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

#### VACATION OF ALLEY ORDINANCE

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF WEST 3RD STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

#### STREET ASSESSMENT ORDINANCES

Mayor LaRue brought up the following ordinance for its first reading:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS

OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES.

(West Annie Street and Various Other Streets)

The ordinance was read the second time, and Councilman Price moved the ordinance be passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes:	Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes:	None
Present But Not Voting:	Councilman Johnson
Absent:	Councilman Atkison

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON THAT CERTAIN STREET IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREET WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREET WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREET WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES.

(Montopolis Drive)

The ordinance was read the second time, and Councilman Price moved the ordinance be passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Present But Not  
     Voting: Councilman Johnson  
 Absent: Councilman Atkison

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Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES.

(Bunche Road and Various Other Streets)

The ordinance was read the second time, and Councilman Price moved the ordinance be passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Present But Not  
     Voting: Councilman Johnson  
 Absent: Councilman Atkison

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Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCURE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR;

FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES. (Francisco Street and Various Other Streets)

The ordinance was read the second time, and Councilman Price moved the ordinance be passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes:	Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes:	None
Present But Not	
Voting:	Councilman Johnson
Absent:	Councilman Atkison

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES.  
(Porter Street and Various Other Streets)

The ordinance was read the second time, and Councilman Price moved the ordinance be passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Present But Not Voting: Councilman Johnson  
 Absent: Councilman Atkison

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR REGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES.

(Bissel Lane and Various Other Streets)

The ordinance was read the second time, and Councilman Price moved the ordinance be passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Present But Not Voting: Councilman Johnson  
 Absent: Councilman Atkison

EASEMENTS RELEASED

Councilman MacCorkle moved the Council adopt a resolution authorizing release of the following easement:

A public utilities easement out of Lot 1 and Lot 2 out of the resubdivision of Lots 1, 2, 3 and 4, Block C, TOWNLAKE PLAZA.

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

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Councilman MacCorkle moved the Council adopt a resolution authorizing release of the following easement:

A portion of a public utilities easement out of Lot 1,  
BIGGS RESUBDIVISION.

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

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Councilman MacCorkle moved the Council adopt a resolution authorizing release of the following easement:

Drainage easements out of Lots 8, 9, 10 and 11, Block 1,  
CEDAR VALLEY ADDITION.

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

#### EXTENSION AGREEMENT AUTHORIZED

Mr. Vic Schmidt, Director of Water and Wastewater Department, explained the necessity for extending the contract between the City of Austin, LCRA, and the Texas Water Quality Board. He stated that this was merely a formality in obtaining the City's permission, and that the entire program was funded by the Texas Water Quality Board.

Councilman Johnson moved the Council adopt a resolution authorizing an extension agreement for a two month period through March 31, 1971, with the Lower Colorado River Authority and Texas Water Quality Board for the Pollution Control Study for Highland Lakes. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

## CONTRACTS AWARDED

Councilman Janes discussed with Mr. Solon Bennett, Director of Purchases and Stores, the fact that only one bid had been received on three out of four items for purchase of asphalt. Councilman Janes moved the Council adopt a resolution awarding the following contracts:

TEXAS EMULSIONS, INC.	Twelve (12) months contract for EA-11M Asphalt Emulsion - \$19,425.00.
WRIGHT ASPHALT PRODUCTS	Twelve (12) months contract for RC-2 Cut Back Asphalt - \$1,342.00.
TEXAS EMULSIONS, INC.	Twelve (12) months contract for RC-2 Asphalt Emulsion - \$51,800.00.
TEXAS EMULSIONS, INC.	Twelve (12) months contract for Emulsified Asphalt Prime - \$388.50.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes:	Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes:	None
Out of Room at	
Roll Call:	Councilman Gage
Absent:	Councilman Atkison

Councilman Price moved the Council adopt a resolution awarding the following contract:

TECHLINE, INCORPORATED	Six (6) each 45 foot street light poles with 8 foot mast arm and sixteen (16) each 45 foot street light poles with twin 8 foot mast arms - \$8,220.80.
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The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes:	Councilman Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes:	None
Out of Room at	
Roll Call:	Councilman Gage
Absent:	Councilman Atkison

The Council had before it for its consideration the awarding of the following contract by casting of lots:

DEALERS ELECTRICAL SUPPLY	Socket Eyes - \$176.40
or	
PRIESTER-MELL CO.	

Dealers Electrical Supply was chosen as a result of the casting of lots. Councilman Price moved the Council adopt a resolution awarding the following contracts:

SOUTHWAY ELECTRIC UTILITY SERVICE, INC.	Insulators, Ball Hooks, Dead End Clamps, ACSR Cable (code name-Drake) \$24,451.50.
PRIESTER-MELL CO.	Insulators, Down Lead Brackets - \$949.80.
DEALERS ELECTRICAL SUPPLY	Armor rods, Angle clamps, Insulator Clamps - \$2,081.00.
STERETT SUPPLY CO.	Dead Ends - \$2,387.00.
TECHLINE, INC.	Suspension Clamps - \$168.00.
WILLIAMSON DISTRIBUTING CO.	Suspension Clamps - \$262.50.
DEALERS ELECTRICAL SUPPLY	Socket Eyes - \$176.40.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes:	Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes:	None
Out of Room at	
Roll Call:	Councilman Gage
Absent:	Councilman Atkison

Councilman Janes moved the Council adopt a resolution awarding the following contract:

TRINITY ENGINEERING TESTING CORP.	Drilling for Crosstown Wastewater Interceptor - \$57,690.00. (Capital Improvement Project) (Engineer's estimate - \$75,000.00)
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The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes:	Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes:	None
Present But Not	
Voting:	Councilman Gage
Absent:	Councilman Atkison

#### SALE OF HOUSES AUTHORIZED

Councilman Price moved the Council adopt a resolution authorizing sale of houses as follows:

Accept positive bids - houses to be moved:

1. Charles R. Webb	404 Rio Vista	\$2,617.77
2. M. J. Kouri	404(B) Rio Vista	\$ 801.87
3. M. J. Kouri	2001 Woodmont	\$ 401.87
4. Charles R. Webb	2507 Winsted	\$1,617.77
5. M. J. Kouri	#10 Happy Hollow	\$3,205.87

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

Councilman Price moved the Council adopt a resolution authorizing sale of houses as follows:

Accept negative bids - houses to be demolished:

1. Southwest-Rathgeber	702 Theresa	\$ 383.38
2. Southwest-Rathgeber	824 West 10th St.	\$ 383.38
3. Southwest-Rathgeber	1900 West 10th St.	\$ 71.11

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

#### SALE OF STRUCTURES APPROVED

Councilman Price moved the Council adopt a resolution approving sale of structures in University East Project, Tex. R-103 as follows:

Parcel 11-9 J. C. Logan & M. E. Bell \$718.00

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

#### SALE OF LAND AUTHORIZED

Councilman Price moved the Council adopt a resolution authorizing sale of two tracts of land in the University East Urban Renewal Project to the Urban Renewal Agency. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

## CONSULTING SERVICES SELECTED

Councilman Gage moved the Council select W. C. Cotton as Consulting Services in connection with the Bridge on Springdale Road over Boggy Creek and three bridges on South 1st Street at three crossings of Williamson Creek. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

Councilman MacCorkle moved the Council select B. Segall, Jr. as Consulting Services in connection with the Library air conditioning system. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

## ITEM DELAYED

The Council had before it for its consideration authorizing a building line 3.60 feet into East 6th Street Alley, north of the north line of Lot 1, Block 65, Original City of Austin. After some discussion as to what was involved in this, Councilman Gage moved the Council instruct the staff to investigate and report back to the Council. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

## PUBLIC HEARING SET

Councilman Gage moved that the Council set a public hearing on the recommendation from the Planning Commission regarding Planned Unit Developments on March 25 at 9:30 A.M. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

## ROSE GARDEN PICTURES DISCUSSED

Councilman MacCorkle noted a letter from Mrs. Alden Davis, requesting the hanging of some pictures at Zilker Rose Garden. Mayor LaRue asked the City Manager to investigate the possibility of this and to report back to the Council.

RECESSED MEETING

2:00 P.M.

The meeting was reconvened with Mayor LaRue presiding.

## Roll Call:

Present: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Absent: Councilman Atkison

## ZONING HEARINGS

At 2:00 P.M. Mayor LaRue announced that the Council would hear the zoning cases scheduled for Public Hearing at that time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

GEORGE A. WEBB	1201 Ridgemont	From "A" Residence to "B"
C14-71-002	5601-5603 Cameron	Residence
	Road	NOT RECOMMENDED by the
		Planning Commission

Mayor LaRue noted that a valid petition had been filed against this change.

Proponents

Mr. George Webb stated that the reason for this request was so that he could continue to conduct his insurance agency in his home as he had the sole responsibility of rearing four children. He stated that his office merely consisted of a desk and telephone with clientele rarely calling at his home. There were no signs and no problems of traffic congestion. He did not believe this would set a precedent for businesses moving into this residential area. He stated that Cameron Road was already a high traffic street.

Mrs. John Burkett, resident at 1603 Ridgemont, favored the change because she believed that Mr. Webb's use of the property did nothing to detract from the residential neighborhood.

Mr. Bob Taylor, resident at 1211 Ridgemont, favored the change as he did not believe Mr. Webb's use of the property really constituted a business. He cited other business uses of property on the area.

Opponents

Mr. Lyndon Stuckey, resident at 1205 Cloverleaf, opposed the change, noting the petition that had been filed with the Council. He further stated that Mr. Webb was in violation of three deed restrictions. He also cited Mr. Webb's unruly children and dogs.

Mr. Floyd Pritchett, resident at 1206 Ridgemont, opposed the change, stating that one of his children was attacked by Mr. Webb's dog and that there were often cars parked in front of Mr. Webb's house. Councilman Janes suggested that Traffic and Transportation investigate the possibility of making the area a No Parking Zone.

Ms. H. L. Moore, resident at 1313 Ridgemont, feared that this change would open the area to commercial use with a resultant lowering of property values as residential. She did not believe the change was necessary to allow Mr. Webb to supervise his children, as only two boys, ages 13 and 11, were at home and usually only in the evening.

Mr. William Whitley, resident at 1205 Ridgemont, did not object to the use Mr. Webb had made of the property for the past two years, but he did object to the rezoning. He stated that he would look out for Mr. Webb's children.

Mr. Tommy Millsap, resident at 1207 Ridgemont, stated that Mr. Webb had put up signs and that cars parked there were a traffic hazard.

#### Reply to Opponents

Mr. Webb stated that the objections to parking, dogs, etc. were irrelevant to the zoning change request, which he pointed out was a request for "B" Residence zoning, not Commercial zoning.

#### Motion

Councilman Janes moved the Council uphold the recommendation of the Planning Commission to DENY the change. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change had been DENIED.

JOE GILBRETH  
 by Bryant-Curington  
 C14-71-023

2701-3021 Parker  
 Lane

From Interim "A" Residence  
 1st Height and Area to "BB"  
 Residence 1st Height and  
 Area  
 NOT RECOMMENDED by the  
 Planning Commission  
 RECOMMENDED by the Planning  
 Commission "A" Residence  
 1st Height and Area subject  
 to departmental requirements

#### Proponents

Mr. Thomas Watts, of Bryant-Curington Engineers, requested the change to permit construction of fourplexes, because he believed the area was not suitable for single-family dwellings.

Mr. W. O. Metcalfe, representing the owner of an adjoining tract, favored the change because he believed that apartment use was the only way the land could be developed.

Mrs. George Sanders, Mr. Metcalfe's sister, also did not believe the land was suited to single-family residences.

#### Opponents

Mr. Roger Bengston, resident at 2511 Glen Springs, opposed the change because it would lower property values in the area and would increase traffic problems particularly dangerous to school children, as there was a school near by.

In response to Councilman Gage's question, Mr. Dick Lillie, Planning Director, stated that the school was one of the main concerns of the Planning Commission. Councilman Johnson felt this was irrelevant and that multi-family development should take place in accordance with the Master Plan.

Mr. Lillie suggested that if the Council were to consider the "BB" Residence zoning that it be granted for only the portion now adjacent to "BB" Residence and not on the northern portion now adjacent to "A" Residence.

#### Motion

Councilman Gage moved the Council grant the change from Interim "A" Residence 1st Height and Area to "BB" Residence 1st Height and Area on the portion south of Carlson Street only and that the remaining portion retain its present zoning. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change to "BB" Residence 1st Height and Area on the portion south of Carlson Street only had been granted and instructed the City Attorney to draw the necessary ordinance to cover.

PI KAPPA CHAPTER OF ALPHA OMICRON PI CORPORATION by William O. Doctorman Cl4-71-020	2219-2223 San Gabriel 911-915 West 23rd Street	From "B" Residence 1st Height and Area to "GR" General Retail 3rd Height and Area (as amended) RECOMMENDED by the Planning Commission as amended
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Mr. James Price presented the Council with a petition opposing the change, which Mr. Lillie stated had not yet been validated. Mr. Price stated that the vast majority of land between Rio Grande and the University campus was still zoned residential and that this area was the least desirable for rezoning as it contained the historic Corcoran Home.

Mrs. O. B. Douglas, resident at 1101 West 22nd, opposed the change.

Councilman Janes moved the Council grant a change from "B" Residence 1st Height and Area to "B" Residence 2nd Height and Area. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change to "B" Residence 2nd Height and Area had been granted and instructed the City Attorney to draw the necessary ordinance to cover.

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JAMES A. HARPER	2929 East	From "A" Residence to "GR"
by W. G. Hunt	12th Street	General Retail
C14-71-003		RECOMMENDED by the Planning Commission

Mayor LaRue noted that no one in favor of the change was present.

Mr. Lawrence Owens, resident at 2909 East 12th, opposed the change, stating that this was a Christian area containing three churches which would be turned into a slum by this change. He expressed concern that there would be drunks in the neighborhood.

Mrs. Roella Dean, resident at 2927 East 12th, opposed the change on the grounds of congestion that would be caused by parking problems.

In response to Councilman Johnson's question, Mr. Lillie stated that "LR" Local Retail rather than "GR" General Retail would be more consistent with zonings granted in the past and would eliminate the consumption of alcoholic beverages on the premises.

Motion

Councilman Price moved that the Council DENY the change to "GR" General Retail. The motion was seconded by Councilman Gage.

Substitute Motion

Councilman Janes offered a substitute motion that the Council grant a change from "A" Residence to "LR" Local Retail.

Mr. Lillie stated that "LR" Local Retail would permit the sale of alcoholic beverages but would prohibit consumption of them on the premises. Mr. Owens stated his opposition to permitting the sale of alcoholic beverages.

The substitute motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue  
 Noes: Councilmen Gage, Price  
 Absent: Councilman Atkison

The Mayor announced that the change to "LR" Local Retail had been granted and instructed the City Attorney to draw the necessary ordinance to cover.

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VALENTINE GONZALES  
C14-71-005

1213 Holly St.

From "A" Residence to "GR"  
General Retail  
NOT RECOMMENDED by the  
Planning Commission

Mr. Valentine Gonzales requested the change in order to continue to operate a key shop on the premises and presented the Council with a petition on his behalf. He stated that Holly Street was already commercialized to an extent. There was discussion as to the kind of operations performed in Mr. Gonzales' key shop. Councilmen Janes, Johnson and Gage stated that the opposition was not to the key shop use but to the other potential uses to which "GR" General Retail zoning could be put in the future. In response to Councilman Janes' question, Mr. Lillie stated that "LR" Local Retail zoning would not permit Mr. Gonzales' enterprise.

Councilman Janes moved that the Council uphold the recommendation of the Planning Commission to DENY the change. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the change had been DENIED.

MICHAEL HALL SHELBY  
by John B. Selman  
C14-71-014

1600-1606 San  
Jacinto Blvd.  
206-214 East  
16th Street

From "C" Commercial 2nd  
Height and Area to "C-2"  
Commercial 2nd Height and  
Area  
RECOMMENDED by the Planning  
Commission

Councilman Gage moved the Council grant the change from "C" Commercial 2nd Height and Area to "C-2" Commercial 2nd Height and Area as recommended by the Planning Commission. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission and instructed the City Attorney to draw the necessary ordinance to cover.

J. K. DISMUKES  
C14-71-017

1306-1404 Wheless  
Lane

From "A" Residence to "C"  
Commercial  
RECOMMENDED by the Planning  
Commission except for 1'  
along the southern boundary  
of the tract abutting Wheless  
Lane, which is to be retain-  
ed "A" Residence and sub-  
ject to 10' of right-of-way  
on Wheless Lane

Mr. J. K. Dismukes stated that the 1 foot strip to remain "A" Residence was acceptable except for a small area in the southwest corner where he hoped to build something like a retail store, and he wanted access to Wheless Lane on the first 125 feet there. Mr. Lillie did not object to permitting access to Wheless Lane on the west 125 feet of the southern boundary.

Councilman Janes moved the Council grant the change from "A" Residence to "C" Commercial as recommended by the Planning Commission except for 1 foot along the southern boundary of the tract abutting Wheless Lane from a point 125 feet east of the western boundary all the way to the eastern boundary, which was to be retained "A" Residence, and subject to 10 feet of right-of-way on Wheless Lane. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: Councilman Gage  
Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission with the deletion of the west 125 feet of the southern boundary from the excepted area to remain "A" Residence and instructed the City Attorney to draw the necessary ordinance to cover.

CARLTON BUSKE  
by Robert Sneed  
C14-71-021

Rear of 3633-3723  
Manchaca Road

From "A" Residence to "BB"  
Residence  
RECOMMENDED by the Planning  
Commission subject to 60'  
street provided from Man-  
chaca Road to the southern  
edge of the tract, a sub-  
division providing the ter-  
mination of Fleetwood Dr.  
into a cul-de-sac, with the  
retention of 1' of "A"  
Residence zoned property  
around this cul-de-sac, and  
a special permit

Mr. Robert Sneed, representing the applicant, felt that the proposed development of apartments on this property was its highest and best use. He cited the zonings of surrounding properties. He asked the Council to uphold the recommendation of the Planning Commission.

Mrs. Carlton Waincott, resident at 3607 Fleetwood, objected to the rezoning although she was pleased with the conditions recommended by the Planning Commission should the property be rezoned.

Mr. Lillie stated that the special permit for the apartment development would insure that the density on the eastern five acres did not go beyond duplex density.

Councilman Gage moved the Council grant the change from "A" Residence to "BB" Residence as recommended by the Planning Commission subject to density not to exceed 10 units per acre, a subdivision providing the termination of Fleetwood Drive into a cul-de-sac, with the retention of 1 foot of "A" Residence zoned property around this cul-de-sac, the 50 foot setback line being observed on the north property line, and subject to the approval of a subdivision plat making provisions for Valley View Road. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission subject to density not to exceed 10 units per acre, a subdivision providing the termination of Fleetwood Drive into a cul-de-sac, with the retention of 1 foot of "A" Residence zoned property around this cul-de-sac, the 50 foot setback line to be observed on the north property line, and subject to the approval of a subdivision plat making provisions for Valley View Road, and instructed the City Attorney to draw the necessary ordinance to cover.

EARL O. WUKASCH  
 ET AL  
 C14-71-007

5206-5208  
 Huisache

From "A" Residence to "B" Residence and "O" Office RECOMMENDED by the Planning Commission "B" Residence on east 47' and "O" Office on the west 80' retaining "A" Residence on the eastern boundary of 3' to control access, subject to privacy fencing on the 3 sides of the tract which abut residential development

Mr. Earl Wukasch stated that the conditions were acceptable although he felt that permitting access only from Lamar would be more of a traffic hazard than permitting access from Huisache. Mr. Lillie stated that the condition was designed to keep commercial traffic off of a minor residential street.

Councilman Gage moved the Council grant the change from "A" Residence as recommended by the Planning Commission to "B" Residence on east 47 feet and "O" Office on the west 80 feet, retaining "A" Residence on the eastern boundary of 3 feet to control access, subject to privacy fencing on the 3 sides of the tract which abut residential development. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission subject to the conditions, and instructed the City Attorney to draw the necessary ordinance to cover.

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CONRAD BLEVINS	924-928 Atkinson	From "A" Residence to "GR"
by Ken R. Brooks	Road	General Retail
C14-71-019	6901-6903 Bennett	NOT RECOMMENDED by the Planning Commission

Councilman Janes moved the Council uphold the recommendation of the Planning Commission to DENY the change. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change had been DENIED.

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KERRY G. MERRITT	7800-7806 Northcrest	From "A" Residence to "BB"
by Robert C. Sneed	Boulevard	Residence
C14-71-245	7801-7805 North- crest Boulevard (as amended)	RECOMMENDED by the Planning Commission as amended sub- ject to departmental require- ments

Councilman Johnson moved the Council grant the change from "A" Residence to "BB" Residence as recommended by the Planning Commission as amended subject to departmental requirements. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison

The Mayor announced that the change had been granted as recommended by the Planning Commission as amended subject to the conditions and instructed the City Attorney to draw the necessary ordinance to cover.

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JOHN McPHAUL &  
TOM ATTAL  
C14-71-024

9431-9811 Middle  
Fiskville Road  
(Tract 2) as  
amended

From Interim "A" Residence  
1st Height and Area to "BB"  
Residence 1st Height and  
Area and "C" Commercial 1st  
Height and Area (as amended)  
RECOMMENDED "C" Commercial  
1st Height and Area on the  
west 345' (average) of Tract  
2; "BB" Residence 1st Height  
and Area on the remaining  
portion of Tract 2, subject  
to 40' setback along the  
east property line and depart-  
mental requirements (as  
amended); Tract 1 withdrawn

Councilman Gage moved the Council grant the change from Interim "A" Residence 1st Height and Area to "BB" Residence 1st Height and Area and "C" Commercial 1st Height and Area (as amended) as recommended by the Planning Commission "C" Commercial 1st Height and Area on the west 345 feet (average) of Tract 2; "BB" Residence 1st Height and Area on the remaining portion of Tract 2, subject to 40 feet setback along the east property line and departmental requirements (as amended); Tract 1 withdrawn. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Mayor announced that the change had been granted as amended as recommended by the Planning Commission subject to the conditions as amended, and instructed the City Attorney to draw the necessary ordinance to cover.

#### DISCUSSION OF TRANSIT CONTINUED

Mayor LaRue announced that the transit report which had been heard in the morning session and recessed until 3:30 P.M. would be taken up at this time. He stated that two cases would be presented to the Council.

Mr. Conwell Smith, of Transportation Enterprises, presented figures on what bus service would have cost the City in January depending upon different estimates of expenses. He offered a proposal whereby his company would purchase 25 new air-conditioned "Twin-Coach" type buses from General Motors, carrying 31 adult passengers, the first bus to be delivered within 75 days and the last bus to be delivered on July 31, 1971, sufficient to support all major routes in early morning and late afternoon hours, supplemented with 9 additional older buses to take care of a full schedule. Transportation Enterprises would charge the City a management fee of \$2,500 per month, plus a monthly expense figure based upon the expense for mileage which figures for January, for example, was \$8,800. Mr. Smith pointed out that this might not hold true for other months, This would not include school buses and would reduce the total mileage to approximately 110,000 miles per year. City

Manager Andrews stated that under this contract, the City would be obliged to pay the difference between the cost of operation and a figure that included \$2,500 net profit after taxes. Mr. Smith assured the Council that his company would continue to run school buses through May 31, unless a contract was awarded to American Transit Company prior to such date in which event it would be their obligation to operate school buses.

The second proposal by Transportation Enterprises was for the City to purchase new buses for Transportation Enterprises to rent or lease.

Mr. Hugh Ashby, Vice President of American Transit Corporation of St. Louis, Missouri, offered a three-year contract to the City, furnishing the City with 40 buses including 25 new-look 45-passenger air-conditioned buses supplemented by 15 additional Diesel transit-type coaches. Should the City at the expiration of the three-year term decide to buy the buses, American Transit would continue to operate the bus schedule on a management-type basis. He stated that American Transit would run the school buses through May 31 and for this purpose they would bring in the necessary coaches. In response to Councilman MacCorkle's question, he stated that with immediate approval of the contract the buses could be running by April 1. He also discussed the advantages of the City contracting for bus service rather than the City owning and managing the system itself. In response to Councilman Gage's question, Mr. Ashby stated that their management fees ranged from \$18,000 to \$60,000 in other cities.

Mr. Ashby stated that 63¢ a mile had been estimated as the proper amount to arrive at a 92% operating ratio which was thought to be necessary over the long run. In response to Councilman MacCorkle's question, he stated that their operating revenues for the first six months of 1970 had been around 55¢ per mile and expenses were 54¢ per mile. He discussed the factors which would influence how much this proposal would cost the City, but he estimated a cost in the second year of \$75,000 to the City. Mayor LaRue added that this would be in addition to whatever losses there might be to the City. Mr. Ashby discussed the savings from centralized management in the St. Louis office; he discussed their 3% supervision fee. Councilman Janes noted that the contract was subject to the company completing arrangements for a satisfactory three-year labor contract, so he saw no reason for further consideration at this time.

Mr. Ashby stated that the operating ratio would be 95% for the first nine months and 92% thereafter. While total expenses for the first six months of 1970 were 54¢ per mile, they had been 50¢ per mile for the entire year of 1969.

Mr. Smith commented on the weaknesses which he saw in the American Transit proposal and mentioned TEI's ability to offer comparable service.

Mr. Hunter, Regional Vice President of the AFL-CIO, stated that the labor union could not now enter into negotiations with another company when they already had a contract with a present employer.

After some computations, City Manager Andrews stated that the cost to the City under both Transportation Enterprises and American Transit proposals would be almost the same assuming that each company had the same operating expenses.

Mayor LaRue stated that with Transportation Enterprises' proposal, the City would not be able to purchase the buses partially with Federal money until the three-year contract expired, while with American Transit the City would have this opportunity after only nine months. City Manager Andrews was uncertain as to what extent Federal money could be used for this.

Councilmen MacCorkle and Gage expressed a desire for a few days before reaching a decision, while City Manager Andrews stressed the need for making a decision quickly. Mayor LaRue suggested that the Meeting be recessed until Friday or Saturday.

#### ANNEXATION ORDINANCE

Mayor LaRue brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 7.58 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. O. RICE SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes:	Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes:	None
Present But Not	
Voting:	Councilman Johnson
Absent:	Councilman Atkison

The ordinance was read the second time, and Councilman Price moved the ordinance be passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes:	Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes:	None
Present But Not	
Voting:	Councilman Johnson
Absent:	Councilman Atkison

#### LICENSE AGREEMENT GRANTED

City Attorney Butler reported back as instructed by the Council in its morning session on the authorization of a building line 3.60 feet into East 6th Street Alley. He stated that what was involved was entering into a license agreement for use of the alley, limited to the life of the building, not a change in the building line.

Councilman Gage moved the Council adopt a resolution authorizing a license agreement for use of East 6th Street Alley. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

MEETING RECESSED

Councilman MacCorkle moved that the Council recess the Regular Meeting of March 4, 1971, until 9:00 A.M., March 6, 1971. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Atkison

The Council recessed until 9:00 A.M., March 6, 1971.

APPROVED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk